Meeting of States Parties

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Letter dated 27 April 2012 from the Chairperson of the Commission on the Limits of the Continental Shelf addressed to the President of the twenty-second Meeting of States Parties

1. I wish to inform you about the progress of work of the Commission since the twenty-first Meeting of States Parties, in June 2011, in my capacity as Chairperson of the Commission on the Limits of the Continental Shelf.

2. Following the untimely passing of Alexandre Tagore Medeiros de Albuquerque (Brazil), Chairperson of the Commission, on 29 March 2012, the Commission elected me as Chairperson on 9 April 2012 for the remainder of his term of office. Mr. Albuquerque's leadership, knowledge and dedication will be greatly missed by the Commission. On behalf of the Commission, I would like to reiterate the expression of our deepest sympathy to the family of Mr. Albuquerque and the Government of Brazil.

3. Returning to the work of the Commission, I wish to recall that since the twenty-first Meeting of States Parties, the Commission held its twenty-eighth and twenty-ninth sessions at United Nations Headquarters, from 1 August to 9 September 2011, and from 19 March to 27 April 2012 respectively; details of the work of the Commission at these sessions are contained in the statements of the Chairperson on the progress of work in documents CLCS/72 and CLCS/74.

Twenty-eighth session of the Commission

Consideration of submissions

4. The Subcommission established to consider the submission made by Japan completed its work and transmitted the draft recommendations to the Commission. Pursuant to paragraph 15 (1 bis) of annex III to the Rules of Procedure of the Commission, the delegation of Japan addressed the Commission on 16 August 2011. The Commission then decided to defer the consideration of the draft recommendations prepared by the Subcommission to the twenty-ninth session in order to provide its members with further time to consider the submission and the draft recommendations.

5. Furthermore, the Commission and its subcommissions continued their consideration of the submission made by France in respect of the areas of the French

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Antilles and the Kerguelen Islands, the submission made by Uruguay, and the submission made by the Philippines in respect of the Benham Rise region. The subcommissions also held meetings with the respective delegations of these States.

6. The Commission heard presentations on the submissions made by Bangladesh and by Madagascar. In each case, the Commission addressed the modalities for the consideration of those submissions and took decisions that were reflected in the statement of the Chairperson (see CLCS/72).

7. In view of the completion of the work by the Subcommission established for the examination of the submission made by Japan, the Commission decided that, in order to ensure expediency and efficiency in the light of a large number of submissions, a fourth subcommission would be established as an exception to the general rule contained in rule 51, paragraph 4 bis, of its Rules of Procedure.

8. Noting that the submissions made by Myanmar, Yemen, the United Kingdom of Great Britain and Northern Ireland in respect of Hatton Rockall Area, and by Ireland in respect of Hatton Rockall Area were at the head of the queue, and recalling its decisions with regard to those submissions (see, respectively, CLCS/64, para. 40; CLCS/68 and Corr.1, para. 51; CLCS/68, para. 19; CLCS/64, paras. 46 and 52; and CLCS/70, para. 42), the Commission noted that there had been no developments indicating that consent existed on the part of all States concerned allowing consideration of their submissions. The Commission decided to further defer the establishment of subcommissions for those submissions. It also decided that, since the submissions remained next in line for consideration as queued in the order in which they were received, the Commission would revisit the situation at the time of establishment of its next subcommission.

9. The Commission then proceeded with establishing a subcommission to examine the next submission in the queue, namely, the submission made by the Cook Islands concerning the Manihiki Plateau. The Subcommission commenced its examination of the submission during the session.

10. The Commission also took note of the revised submission received from Barbados on 25 July 2011, and recalled its decision that revised submissions would be considered on a priority basis, notwithstanding the queue (see CLCS/68 and Corr.1, para. 57). The Commission further decided that the Subcommission would start the consideration after the expiration of the three-month period from the date of publication by the Secretary-General of the executive summary, in accordance with rule 51, paragraph 1, of the Rules of Procedure.

Other matters

11. Following the election by the Meeting of States Parties held on 11 August 2011 of Tetsuro Urabe (Japan) as a member of the Commission for the remainder of the term of Kensaku Tamaki, who had passed away on 5 April 2011, Mr. Urabe made the solemn declaration prescribed by rule 10 of the Rules of Procedure.

Twenty-ninth session of the Commission

Consideration of submissions

12. Following a thorough consideration of the relevant communications received from States and of the draft recommendations presented by the Subcommission

established to consider the submission made by Japan, the Commission adopted, by consensus, on 19 April 2012, the "Recommendations of the Commission on the Limits of the Continental Shelf in regard to the submission made by Japan on 12 November 2008".

13. The consideration of the revised submission by Barbados and the submissions by France in respect of the areas of the French Antilles and the Kerguelen Islands, and by the Philippines in respect of the Benham Rise region, was completed by the respective Subcommissions. Following the submission of the draft recommendations to the Commission by the Subcommissions, the delegations of Barbados, France and the Philippines availed themselves of the possibility to address the Commission pursuant to paragraph 15 (1 bis) of annex III to the Rules of Procedure of the Commission. Following a thorough consideration of the draft recommendations prepared by the Subcommission and of the presentation made by the delegations, the Commission adopted, by consensus, the "Recommendations of the Commission on the Limits of the Continental Shelf in regard to the revised submission made by Barbados on 25 July 2011", on 13 April 2012; the "Recommendations of the Commission on the Limits of the Continental Shelf in regard to the submission made by France on 5 February 2009, in respect of the area of the French Antilles and the Kerguelen Islands", on 19 April 2012; and the "Recommendations of the Commission on the Limits of the Continental Shelf in regard to the submission made by the Philippines in respect of the Benham Rise Region on 8 April 2009", on 12 April 2012.

14. Pursuant to article 6, paragraph 3, of annex II to the Convention, the four recommendations, including the summaries thereof, were transmitted to the coastal States concerned and to the Secretary-General.

15. The subcommissions established to consider the submissions made by Uruguay and by the Cook Islands (in respect of the Manihiki Plateau) continued their consideration of the respective submissions. The subcommissions also held meetings with the delegations.

16. In view of the expiration of the term of office of its current members on 15 June 2012 and the forthcoming elections of 21 members of the Commission and notwithstanding that the Commission completed its work on four submissions, it decided not to establish any new subcommission at this time.

17. The Commission noted that the consideration of some submissions that were next in line had been deferred due to the nature of statements contained in communications received in respect of these submissions. The Commission noted that, at least in one case, the circumstances that had led to the deferment of the consideration of that submission might no longer exist. However, the Commission observed that in order be able to proceed with the establishment of a subcommission and the consideration of the submission, an appropriate communication from the States concerned would be required.

18. Finally, the Commission took note of new submissions, including the most recent ones made by the United Republic of Tanzania on 18 January 2012 and by Gabon on 10 April 2012. It heard presentations on the submissions made by Guyana and by Mexico on 6 September and 19 December 2011, respectively. In each case, the Commission took decisions on the modalities for the consideration of these

submissions. These decisions are reflected in the statement of the Chairperson (CLCS/74).

Other matters

19. The Commission noted that it had reviewed the issue of its workload on several occasions and still considered it as a matter of high importance for the future work of the Commission. The Commission also recommended that the issue of the workload should be maintained on its agenda at the next session.

20. As the term of office of the current members of the Commission ends on 15 June 2012, I would like to reiterate, on behalf of all members of the Commission, our gratitude to the Meeting of States Parties for its continued support of our work. In particular, the unfailing commitment of the Meeting of States Parties to identify measures to assist the Commission in addressing its considerable workload and to examine submissions efficiently and in a speedy manner has been appreciated by the Commission.

21. On behalf of the Commission, I would also like to express gratitude to the Division for Ocean Affairs and the Law of the Sea for the high standard of Secretariat services it renders to the Commission.

22. I would like to request that the present letter be circulated as a document of the twenty-second Meeting of States Parties.

(*Signed*) Galo **Carrera Hurtado**
Chairperson of the Commission on the Limits of the Continental Shelf